

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN THE MATTER OF:

**United States of America,
v.**

**Philip L. Michener
136 N 5th Street,
Apartment 3,
Cambridge, OH 43725**

CASE NO: 2:25-mj-233

MAGISTRATE JUDGE: Vascura

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Andrew D. McCabe, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, hereby depose and state:

INTRODUCTION

1. I, Special Agent Andrew McCabe (your affiant), make this affidavit in support of a criminal complaint to arrest Philip L. MICHENER for violations of Title 18 United States Code §§ 2252, and 2252A – the receipt, and/or possession of child pornography. The statements contained in this affidavit are based in part on information and analysis provided by law enforcement agents; written reports about this and other investigations that I have received, and your affiant's personal knowledge and finding during the investigation. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant your affiant did not include each and every fact known concerning this investigation. Your affiant did not withhold any information or evidence that would negate probable cause. Your affiant set forth only the facts that are believed to be necessary to establish probable cause that MICHENER committed the violations listed above.
2. Your affiant has been an FBI Special Agent since September 2010, and I have been assigned to the Cincinnati Division since January 2020. During my tenure as an FBI Special Agent, I have investigated numerous crimes including, but not limited to, bank robbery, drug trafficking, racketeering, kidnapping, violent extremism, and crimes against children. As a Special Agent I have participated in various investigations involving computer-related offenses and have executed search warrants, including those involving searches and seizures of computers, digital media, software, and electronically stored information. As a SA, I am authorized to investigate violations of the laws of the United States under the authority of the United States.

FACTS SUPPORTING PROBABLE CAUSE

3. On June 10, 2024, the Public Safety Director for the city of Cambridge requested your affiant open an investigation into MICHENER for possession of child pornography. Specifically,

he informed your affiant the Cambridge Police Department (CPD) had received an email from WITNESS 1, alleging they had purchased a laptop computer from MICHENER which contained child pornography. At the conclusion of the meeting the Public Safety Director provided your affiant a copy of the email.

4. On June 10, 2024, your affiant conducted an interview of WITNESS 1. During the interview WITNESS 1 stated s/he had purchased a HP Pavilion Laptop Computer on eBay from a seller with the username "phi.michel1954." After WITNESS 1 received the laptop s/he began setting it up for her/his use. During the setup process, WITNESS 1 defragmented the computer's hard drive.¹ After the defragmentation process was complete, WITNESS 1 reviewed the contents of the computer hard drive and observed images of young children and described one of the images as showing a prepubescent child performing oral sex on an adult male.
5. On June 11, 2024, WITNESS 1 turned over a HP Pavilion laptop computer the Charlette FBI, Fayetteville Resident Agency (RA) in Fayetteville, NC. At that time WITNESS 1 provided consent for the FBI to search the laptop computer. On June 25, 2024, the HP Pavilion was shipped from North Carolina to the Cincinnati FBI, Columbus RA Evidence Control Room.
6. On July 3, 2024, your affiant removed the HP Pavilion from evidence and forensically imaged the computer hard drive. On August 8, 2024, your affiant completed a review of the forensic image of the HP Pavilion. During the review your affiant identified six images which depict child pornography and are described as follows:
 - a. Image One: A prepubescent white female is seen performing oral sex on the penis of an adult male;
 - b. Image Two: An adult male is seen inserting his penis into a prepubescent minor's anus;
 - c. Image Three: A pubescent male is engaged in sexual intercourse with what appears to be a nude prepubescent female lying on a bed;
 - d. Image Four: An unidentified male is seen placing his hand between the legs of an age questionable female;
 - e. Image Five: A prepubescent female is seen lying naked on a bed with her legs spread to expose her nude vagina, and
 - f. Image Six: A prepubescent female is performing oral sex on the penis of an unidentified male.

¹ Defragmentation is the process by which a program reorganized data on a hard disk drive so that related pieces of data are stored together in contiguous blocks.

7. During the review of the HP Pavilion's "Most Recently Used Files and Folders"² your affiant observed the computer had been used to access the following files:
 - a. HMM Grace! Series (Cambodia) - Rona (09Yo) - Fuck The Pussy - Part.03 - [Pthc][K][00.00.26].3gp;
 - b. (Pthc) New 2017 Pedo Childlover 8Yo Daddy's Little Girl Jm 17.mp4;
 - c. 6YO Rona SUCKS MAN's DICK on Sofa - 2009 (gracel series) r@ygold pthc.MPG
 - d. Opva Pthc 2016 Teacher And 7Yo Schoolgirl Home Video Anal Sex...Cos She Likes It In The Ass Epic Video!!! O O Digitally Restored Pedo.mp4.
8. During a review of the HP Pavilion's LNK files³, your affiant identified information indicating the HP Pavilion had also accessed files stored on unidentified external storage devices. Based on the names of the files accessed, your affiant believes them to contain child pornography. The following is a sample of the file names accessed on the HP Pavilion from external storage devices:
 - a. !_7yo Girl Blowjob, ??????? ????? ? ???????, Toddler Child Schoolgirl (pthc, pedo, ????, ????.avi;
 - b. Preview Of Kathie 5Yo Chunk 2 She Takes Dad's Entire 11 Inch Cock In Her Cunt And Cums G Pthc 04 Fuck Willing Toddler Frifam.mp4;
 - c. incoming\keep\oral\13yo Ravenna Dad Teaching Daughter How To Suck And Fuck.flv;
 - d. incoming\Save\anal\Pthc Toddler Girl Oral And Anal 2015(Et) Venezuela x264.mp4.
9. During the review, your affiant searched for information to identify previous users of the HP Pavilion. During that search your affiant identified the following information:
 - a. User Account Names:
 - WITNESS 1
 - Phillip Michener
 - phi.miche1954@charter.net
 - Phimi

² Most Recently Used Files and Folders is a list tracked by modern Windows operating systems that provide details regarding the user's interaction with files, folders, and programs that may have been executed using the Windows Run utility

³ LNK files are generated when a user opens a local or remote file or document. LNK files can be created by the user or automatically by the Windows operating system.

- b. Microsoft OneDrive Owner Name
 - Phillip Michener
 - c. Windows Stored Credentials:
 - pmichener1954@roadrunner.com
 - Philip Michener
10. On August 16, 2024, in response to a subpoena served by the FBI, eBay identified the user of "phi.miche1954" as Phil MICHENER, with an address of 136 North 5th Street, Cambridge, OH, 43725, telephone number (740)***-6333.
11. During the investigation your affiant learned through law enforcement databases, Philip Michener, residing at 136 North 5th Street, Cambridge, OH, was a registered Tier II sex offender based on a 2016 conviction for Pandering Sexually Oriented Material Involving a Minor in violation of Ohio Revised Code 2907.322(A)(5) and Illegal Use of a Minor in Nudity Oriented Material or Performance in violation of O.R.C. 2907.323(A)(3). Michener also provided his telephone number as (740)***-6333.
12. On October 24, 2024, your affiant conducted a search of the Ohio Bureau of Motor Vehicles data base for Philip Michener. During the search your affiant identified a Philip Michener born in 1954 and residing at 136 North 5th Street, Cambridge, Ohio
13. On November 14, 2024, the Cincinnati FBI executed search warrants on MICHENER'S residence and his person. During the search FBI Special Agents seized multiple digital devices to include the following:
- a. Red Desk Top Computer;
 - b. 16GB Lexar USB Flash Drive;
 - c. 1 TB Toshiba External Hard Disk Drive;
 - d. 500GB Western Digital Hard Disk Drive;
 - e. HP Pavilion Laptop Computer;
 - f. 2TB, VendorCo ProductCode USB Flash Drive.
14. Between November 15, and December 19, 2024, your affiant removed the devices from evidence and forensically imaged them. After imaging the devices your affiant began a review of the forensic images. During that review your affiant identified over 1,000 images and 400 videos which contained child pornography. Some of the images viewed by your affiant are described as follows:
- a. Image 7: A nude prepubescent female toddler is seated on a bed holding the nude erect penis of an adult male. The male's hand is seen placed behind the female's

- head. This image was found during the review of the forensic image of 1B11, a HP Pavilion Laptop Computer SN: 5CD0499GHC.
- b. Image 8: A nude prepubescent female under 13 years of age is seated on the floor, inserting an unidentified object into her vagina. This image was found during the review of the forensic image of 1B35, a Lexar 16GB USB Flash Drive SN: AA05PFHWUWQ2U8ZE.
 - c. Image 9: A nude prepubescent female is kneeling on red sheet with a "Hello Kitty" print and performing oral sex on the nude penis of an adult male. A second adult male is shown kneeling behind the nude female with his hands on her hips. This image was found during the review of the forensic image of 1B26, a desk top computer SN: 2923BY01100096.
15. Some of the videos viewed by your affiant are described as follows:
- a. Video 1: ran for approximately three minutes during which a nude prepubescent female is shown lying on a bed and being digitally penetrated by a nude adult male wearing a white clown mask. Later in the video the nude female is seen performing oral sex on the nude penis of the adult male. This video was found during the review of the forensic image of 1B12, a 500GB Western Digital Hard drive SN: WCAV92076857.
 - b. Video 2: ran for approximately 48 seconds and shows what appears to be nude prepubescent female wearing collar around her neck performing oral sex on the erect penis of a white dog. This video was found during the review of the forensic image of 1B16 a 1 TB Toshiba External HDD SN: Y3GPP2JJTV8H.
 - c. Video 3: ran for approximately 54 seconds. During the video, a nude prepubescent minor is seen lying on a white sheet. The female's hands are tied to her legs with a gold-colored rope. This video was found during the review of the forensic image of 1B34-2, a silver 2TB, VendorCo ProductCode USB Flash Drive.
16. On or about April 4, 2016, in the Guernsey County Common Pleas Court MICHENER entered a no contest plea to a ten-count indictment for offenses related to the possession of child pornography. Specifically, MICHENER pled no contest to five counts of Pandering Sexually Oriented Material Involving a Minor in violation of Ohio Revised Code 2907.322(A)(1), and five counts of Illegal Use of Minor in nudity Oriented Material in violation of O.R.C. 2907.323(A)(3) and was convicted of those offenses. MICHENER was sentenced to 24 months in prison.

CONCLUSION

17. Based upon the above information, your affiant submits there is probable cause to believe Philip MICHENER has committed violations of Title 18 U.S.C. §§ 2252, and 2252A – the receipt, and/or possession of child pornography after a prior conviction. Therefore, your affiant respectfully requests this court to issue a criminal complaint and arrest warrant.



Andrew McCabe
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed to be this 25th day of April, 2025



Chelsey M. Vascura
United States Magistrate Judge
United States District Court
Southern District of Ohio